

REMARKS

Claims 1-24, 28 and 29 are pending. Claims 2, 3, 6, 7, 28 and 29 are amended.

In paragraphs 9 and 10, on page 9 of the Office Action, it was indicated that claims 3-7 and 9 would be allowable if rewritten to overcome or to include all the features of the base claim and any intervening claims. With respect to claim 9 it was indicated that these would be necessary to overcome a rejection under 35 U.S.C. §112. However, there is no such rejection of claim 9, thus it is believed that claims 3-7 and claim 9 are allowable. Applicant gratefully appreciates this indication of allowability but submits that claim 1 from which the claims depend, is allowable for the reasons discussed below.

Paragraph 2, on page 2 of the Office Action, claims 1, 8, 11 and 13 were rejected under 35 U.S.C. §102(b) as being anticipated by Katoh, U.S. Patent No. 4,248,933. The rejection is respectfully traversed.

Applicant's claim 1 calls for a reinforced window system for mounting within an opening in a wall, the window system comprising a first frame adapted to be fitted to the opening, said first frame is provided with a plurality of fixing members distributed on an inside perimeter of the first frame; a second frame, which is separate from the first frame and is removably installable therein, said second frame carries a reinforced window pane secured within the second frame; said second frame is provided with a plurality of support members distributed on an outside perimeter of the second frame to face the fixing members of the first frame and to support the second frame when the support members are in engagement with the fixing members; at least some of said fixing members are provided with a securing means for securing a position of the second frame within the first frame. Katoh discloses no such structure.

As discussed in the Amendment filed December 22, 2003, Katoh addresses fixing a window in a vehicle, not a reinforced window for mounting in a wall. What the Office Action

describes as a first frame is in fact the car body 5. What is described as the second frame is a resin molding or trim strip 1 covered by a metal foil 2 (see col. 3, lines 43-52, and col. 4, lines 14 and 15). The window glass 8 is placed in the space between a protective layer 3b (see Fig. 41) and the car body 5 (col. 4, lines 21 and 22). There is no indication that the glass 8 is secured within what is designated in the Office Action as a second frame as called for by Applicant's claim. In fact, Kato teaches that the window glass 8 is supported by a bonding stopper 10 although there is no indication that the bonding stopper is actually affixed to the window (col. 4, lines 26 and 27). Further, a bonding agent 9 (see Fig. 40) is applied between the window glass and the car body which the Office Action designates as the first frame (see col. 4, lines 22-26). Thus, if anything, the window pane 8 is adhered to what the Office Action calls the first frame not the second frame as found in Applicant's claimed invention. Further, the first frame being the car body is not adapted to be fitted in any opening in the wall which is called for in Applicant's claimed invention.

Further, although the Office Action discusses fixing members as being adjustable and movable due to a piece 6 (page 3 of Office Action), as discussed in the December 22 filed Amendment, piece 6 is a stud that is rigidly fixed and there is no indication that the clips 11, which the Office Action designates as fixing members, are at all adjustable in any way upon the studs 6. Further, there is absolutely no showing that the window pane is fixed to what is designated as the second frame, that is, the molding piece 1, by any adhesive. The only bonding discussed is that of a soft plastic protective layer bonded to the metal foil 2 (col. 2, lines 13-16). There is no indication that the soft protective layers 3a and 3b are in any sense intended as an adhesive to connect the window pane or secure the window pane therein. Thus, Katoh does not literally disclose the claimed invention and the rejection under 35 U.S.C. §102 is inappropriate.

Further, for the reasons discussed herein and in the Amendment filed December 22, Katoh does not suggest the claimed invention. Also, Katoh does not suggest the subject matter

of claim 3 as Katoh's alleged fixing members 6 are welded to the first frame which is the car body 5. Thus Katoh cannot anticipate or suggest the subject matter of claim 3 or of claim 8 and, as discussed above, as there is no indication of fixing the window pane to the second frame by an adhesive material in Katoh, it cannot anticipate or suggest claim 11. It is respectfully requested the rejection be withdrawn.

On page 3 of the Office Action, claims 1 and 17 were rejected under 35 U.S.C. §102(b) as being anticipated by Koike et al., U.S. Patent No. 5,758,459 (hereinafter "Koike"). The rejection is respectfully traversed.

Applicant's claim 1 has been presented above. Applicant's claim 1 calls for a plurality of fixing members distributed on an inside perimeter of the first frame. The Office Action alleges the hooks at the bottom of frame 21 are distributed on an inside perimeter of the first frame by Koike. As observed in Fig. 2, the alleged first frame 21 has, in cross-sectional profile, a substantially rectangular shape. The hooks at the bottom by any definition are on the outside perimeter of claim 21 and thus do not anticipate Applicant's claimed feature. Further, Applicant's invention calls for a second frame that is removably installable therein. Koike actually discloses three independent frames 1, 5 and 2 which are not installable in one another. Each carries a window pane positioned between elements belonging to that frame.

What, the Office Action designates as the second frame member is the lower transverse frame member 2. However, as can be obviously seen in Fig. 2, what is alleged to be the first frame 21 is mounted on what is alleged to be the second frame 2 (and is a part thereof) and thus the alleged second frame 2 cannot be removably installable within the first frame. As an aside, the element actually being designated as second frame 2 is body frame member 20 which is also a part of lower transverse frame member 2. In point of fact, to remove the alleged second frame 2, it would be necessary to first remove the first frame 21 so that the bolt 24 could be removed and separate the alleged second frame 2 from what is

alleged to be a concealing panel and in fact, is an attachment transverse member 8. In fact, Koike specifically teaches that the second (lower transverse) frame member 2 is formed by attaching a bead member 21 to a body frame member 20 so as to have an inward opening glass attachment channel 22 (see col. 4, lines 10-22). For at least the reasons discussed herein and the reasons discussed in the December 22, 2003, filed Amendment, Koike does not literally disclose the claimed invention and therefore cannot anticipate the claimed invention. Further, for all those reasons, Koike does not suggest the claimed invention of claim 1.

Further, Koike does not disclose a concealing panel removably secured on the second frame as found in Applicant's claim 17 as what is alleged to be the concealing panel, that is, the attachment transverse member 8, is what the alleged second frame member 2 is attached to which is exactly the opposite of what is found in Applicant's claim 17 wherein the concealing panel is removably secured on the second frame. In Koike the alleged second frame is secured on the alleged concealing panel. Thus, it is respectfully requested that the rejection be withdrawn.

In paragraph 5, on page 4 of the Office Action, claims 1, 2, 10, 14, 18 and 19 were rejected under 35 U.S.C. §103(a) being unpatentable over Habicht et al., U.S. Patent No. 4,879,957 (hereinafter "Habicht"). The rejection is respectfully traversed.

Applicant's claim 1 is discussed above. However, the Office Action shows a complete misunderstanding of Habicht. Habicht discloses a window frame made up of two parts. An inner casement frame 2 and an outer window opening frame 3. The inner opening frame 3 comprises impact metallic profiled section 19, insulating rods 10 and 11, and profiled section 4. This portion of the window frame is attached to a wall. The inner casement frame 2 comprises the metallic profiled section 20, the insulation rods 12 and 13 and the profiled section 5 as well as mounting the pane 1.

The structure is described in col. 3, line 48-col. 4, line 30. The structure the Office Action alleges as showing the fixing between the first end frame members is totally internal to what constitutes the inner casement frame 2. Precisely what its function is is not described in Habicht and no reference numerals are associated with that structure. However, looking closely at the structure one might surmise that it holds the piece that actually engages the outer surface of the pane 1 to the profiled section 5. There is absolutely no disclosure in Habicht of the second frame being provided with a plurality of support members distributed on an outside perimeter of the second frame to face fixing members of the first frame and to support the second frame when the support members are in engagement with fixing members; at least some of the fixing members provide with a securing means for securing a position of the second frame within the first frame as found in Applicant's claim.

Habicht states that his invention is designed for a casement window, a casement window is a window sash that opens outward by means of hinges. No such hinges are shown and thus what is shown is the part of the window frame that opens outwardly, i.e., the inner casement frame 2 separates away from the window opening frame 3. As viewed in Figure 1, the opening would be generally to the left. Habicht also states that such a structure could be used for sash windows but does not disclose how it would be used. Further, Habicht has created his structure to deflect a projectile entering the gap 21 between the inner casement frame 2 and outer window opening frame 3 (col. 4, lines 31-39). It may be surmised the gap would also absorb blast energy as there are no deformable support members. Thus, Habicht does not literally disclose the claimed invention and does not suggest the claimed invention as he has a totally different structure that does not fix the second frame within the first frame. Habicht provides no means to do so. Further, Habicht not having such a structure cannot suggest the subject matter of claims 2, 10, 14, 18 and 19, for all the reasons discussed with respect to claim 1 and for the further features recited therein.

In paragraph 6, on page 6 of the Office Action, claims 16, 20-24, 28 and 29 were rejected under 35 U.S.C. §103(a) as being unpatentable over Habicht. The rejection is respectfully traversed.

As Habicht is directed primarily to a casement window, that is, one that opens outwardly by pivoting about hinges on one side, there is no indication it would be adapted to be fitted behind an existing window system as found in claim 16 or that it would suggest the subject matter of claim 20 calling for a framework for a removable reinforced window system comprising a first frame adapted to be fitted within an opening in a wall; said first frame comprising a plurality of fixing members distributed on an inside perimeter of the first frame; a second frame, which is separate from the first frame and is removably installed therein, said second frame carries a reinforced window pane secured within the second frame and is provided with a plurality of support members distributed on an outside perimeter of the second frame to face the fixing members of the first frame and to support the second frame by engagement with the fixing members; at least some of said fixing members of the first frame are provided with a securing means for securing a position of the second frame within the first frame. Habicht has no indication that the second frame is provided with a plurality of support members distributed on an outside perimeter to face fixing members of the first frame and to support the second frame by engagement with the fixing members as discussed above with respect to claim 1. Thus, Habicht does not suggest the subject matter of claim 20 nor does it suggest the subject matter of claims 21-24 for all the reasons discussed with respect to claim 20 and for the additional features recited therein.

Lastly, claims 28 and 29 have substantially the same features found in claims 1 and 20 and Habicht again does not suggest those claims for the reasons discussed above.

In paragraph 7, on page 8 of the Office Action, claim 15 was rejected under 35 U.S.C. §103(a) as being unpatentable over Habicht in view of Koike; and paragraph 8, on page 8 of the

Office Action claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Katoh in view of Pohl et al., U.S. Patent No. 6,455,819 (hereinafter "Pohl"). The rejections are respectfully traversed.

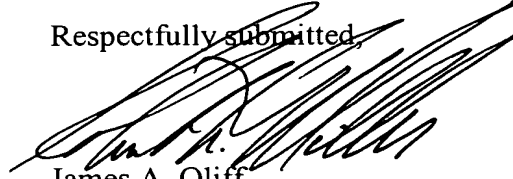
Both Koike and Habicht have been discussed above. As Koike is directed to a fixed frame structure and Habicht is directed to one that allows the window to open, there is nothing to suggest their combination. Thus, the combination cannot suggest the subject matter of claim 15.

As to claim 12, Pohl, directed to a cooking apparatus, cannot overcome the deficiencies of Katoh, discussed above, with respect to claim 1. Thus, it is respectfully requested the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-24, 28 and 29 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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